

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TEXARKANA DIVISION

SCOTT ALLDER,

Plaintiff,

v.

ARCOSA TELECOM STRUCTURES,
LLC,

Defendant.

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CIVIL ACTION NO. 5:24-CV-145-RWS-JBB

ORDER

Plaintiff Scott Allder, proceeding *pro se*, filed his state court petition against Defendant Arcosa Telecom Structures, LLC, asserting a claim for “damages against an individual or contractor in violation of ADA laws for having a service animal on premises.” Docket No. 4 at 2. Defendant removed the lawsuit to this Court on October 1, 2024. Docket No. 1. The case was referred to United States Magistrate Judge J. Boone Baxter pursuant to 28 U.S.C. § 636. Docket No. 3.

On July 3, 2025, the Magistrate Judge issued a report and recommendation, *sua sponte* recommending Plaintiff’s above-captioned case be dismissed with prejudice. Docket No. 45 at 1, 8. Plaintiff received a copy of the Report and Recommendation via electronic notice (Docket No. 19), but, to date, no objections have been filed.

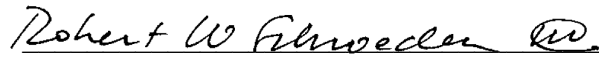
Because no objections have been received, Plaintiff is barred from *de novo* review by the District Judge of the Magistrate Judge’s proposed findings, conclusions, and recommendations. Moreover, except upon grounds of plain error, an aggrieved party is barred from appellate review of the unobjected-to factual findings and legal conclusions accepted and adopted by the District

Court. *See Duarte v. City of Lewisville*, 858 F.3d 348, 352 (5th Cir. 2017); *Arriaga v. Laxminarayan*, No. 4:21-CV-00203-RAS, 2021 WL 3287683, at *1 (E.D. Tex. July 31, 2021).

The Court, having reviewed the Report and Recommendation, is of the opinion the findings and conclusions of the Magistrate Judge are correct. *See United States v. Wilson*, 864 F.2d 1219, 1221 (5th Cir. 1989) (where no objections to a magistrate judge's report are filed, the standard of review is "clearly erroneous, abuse of discretion and contrary to law"). Therefore, the Court hereby adopts the July 3, 2025 Report and Recommendation of the United States Magistrate Judge (Docket No. 45) as the findings and conclusions of this Court. Accordingly, it is

ORDERED that Plaintiff's above-entitled and numbered cause of action is hereby **DISMISSED WITH PREJUDICE**.

So ORDERED and SIGNED this 28th day of July, 2025.


ROBERT W. SCHROEDER III
UNITED STATES DISTRICT JUDGE